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Technical assistance and capacity-building

Algeria (on behalf of the Group of African States), Belgium,* Croatia,* Djibouti,* Estonia, France, Germany, Greece,* Latvia, Luxembourg,* Montenegro, Poland,* Romania,* Senegal,* Slovakia,* Spain:* draft resolution

30/... Technical assistance and capacity-building in the field of human rights in the Central African Republic

The Human Rights Council,

Guided by the principles and objectives of the Charter of the United Nations,

Guided also by the Universal Declaration of Human Rights,

Recalling other relevant international instruments on human rights,

Recalling also General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolutions 5/2 and 5/1 of 18 June 2007, 23/18 of 13 June 2013, 24/34 of 27 September 2013, S-20/1 of 20 January 2014 and 27/28 of 26 September 2014,

Recalling further Security Council resolutions 2088 (2013) of 24 January 2013, 2121 (2013) of 10 October 2013, 2127 (2013) of 5 December 2013, 2134 (2014) of 28 January 2014, 2149 (2014) of 10 April 2014 and 2217 (2015) of 28 April 2015,

Considering the situation in the Central African Republic since 24 March 2013,

Reaffirming that all States have an obligation to promote and protect the human rights and fundamental freedoms enshrined in the Charter, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international instruments on human rights to which they are parties,

Considering the Bamako Declaration, adopted on 3 November 2000 by the French-speaking States and Governments at the International Symposium on the Practices of Democracy, Rights and Freedoms in the French-speaking Community, which condemns all coups d'état and any seizure of power by violent means, weapons or other illegal means,

Considering also the final communiqué of the special summit meeting of Heads of State and Government of the Economic Community of Central African States, held in

* Non-member State of the Human Rights Council.

N'Djamena on 21 December 2012, the political agreement signed in Libreville on 11 January 2013 and the Cessation of Hostilities Agreement, signed in Brazzaville on 23 July 2014,

Welcoming the holding of popular consultations and the Bangui Forum on National Reconciliation, which was followed by the adoption of a republican pact and an agreement on disarmament, demobilization and reintegration, signed by the representatives of the main actors of the conflict in the Central African Republic,

Reaffirming its commitment to the sovereignty, independence, unity and territorial integrity of the Central African Republic,

Concerned about the fragile security situation in the Central African Republic and by the critical humanitarian situation that continues to prevail, and especially the fate of displaced persons and refugees, as well as the risk of sectarian violence,

Gravely concerned at the serious violations and abuses of human rights against the civilian population, including summary executions, extrajudicial killings, arbitrary arrests and detention, enforced disappearances, the recruitment and use of children, rape and other forms of sexual violence, torture, looting, unlawful destruction of property and other serious violations and abuses of international human rights law,

Noting the mobilization of the international community to provide humanitarian assistance to the population of the Central African Republic affected by the crisis, with the donors' conference held in Addis Ababa on 1 February 2014, the Brussels conference held on 26 May 2015, and several high-level meetings on humanitarian action in the Central African Republic,

Recalling the need for the transitional authorities, the international community and humanitarian actors to support the voluntary return of internally displaced persons and refugees, and to ensure that this return is sustainable,

Welcoming the efforts of the International Support Mission to the Central African Republic, the Operation Sangaris mission conducted by France, the European Union military operation in the Central African Republic, the European Union Military Advisory Mission in the Central African Republic and the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic to protect civilians and to contribute to improve security,

Recalling that the international forces present in the Central African Republic must act, in carrying out their duties, by fully respecting the applicable provisions of international humanitarian law, international human rights law and international refugee law, expressing its concern at the allegations of sexual abuse and other human rights violations which may have been committed by personnel of the international forces in the Central African Republic, and recalling that an in-depth investigation should be launched into the allegations and that those responsible for these acts must be brought to justice,

Stressing the urgency and the imperative of ending impunity in the Central African Republic, and of bringing to justice the perpetrators of violations and abuses of international humanitarian law and human rights, and the need to strengthen national mechanisms to ensure accountability,

Welcoming the commitment of the authorities of the Central African Republic to restore the rule of law, to end impunity and to bring to justice the perpetrators of crimes under the Rome Statute of the International Criminal Court, to which the Central African Republic is party, and taking note of the decision of the Prosecutor of the Court, made on 7 February 2014, to conduct a preliminary review of the situation in the Central African

Republic, and on 24 September 2014, to launch an investigation, following the request made by the transitional authorities,

Welcoming also the report of the international commission of inquiry to investigate allegations of violations and abuses of international humanitarian law and international human rights law in the Central African Republic, and noting with concern its findings that the main parties to the conflict have committed, since January 2013, violations and abuses that may constitute war crimes and crimes against humanity,

1. *Strongly condemns* the violations and abuses of human rights that continue to be committed by all stakeholders, and stresses that those responsible for these violations must be held responsible for their actions and brought to justice;

2. *Reiterates* its call for an immediate end to all abuses and violations of human rights and illegal acts of violence committed by all parties, and requires strict adherence to all human rights and all fundamental freedom and the re-establishment of the rule of law in the country, and in this regard reminds all parties of their obligations under international human rights law and international humanitarian law;

3. *Takes note with appreciation* of the report of the Independent Expert on the situation of human rights in Central African Republic[1] and the recommendations contained therein;

4. *Urges* all parties in the Central African Republic to protect all civilians, in particular women and children, against sexual and gender-based violence;

5. *Welcomes* the commitment made by several armed groups on 5 May 2015 to release children from their ranks and to end and prevent the recruitment and use of children, and in this regard calls upon them to implement their commitment;

6. *Urges* all parties to protect and to regard as victims those children who have been released or otherwise separated from armed forces and armed groups, and emphasizes the need to pay particular attention to the protection, release and reintegration of all children associated with the armed forces and armed groups;

7. *Calls upon* the authorities of the Central African Republic to ensure respect for the human rights and fundamental freedoms of the entire population and to take all necessary measures to end the impunity of perpetrators of acts of violence and other violations and abuses of human rights, including by strengthening the judicial system and national mechanisms to ensure accountability;

8. *Takes note* of the decision of the Central African authorities to request the Prosecutor of the International Criminal Court to open an investigation into alleged crimes committed in the Central African Republic that may fall under the Court's jurisdiction;

9. *Welcomes* the efforts made by the transitional authorities, including the adoption and promulgation of relevant legislation aimed at establishing within the national judicial system a special criminal court with competence for serious violations of human rights and international humanitarian law, and urges the national authorities to take all appropriate measures to implement the law on the creation of the special criminal court;

10. *Supports* the efforts made by the mediator of the Economic Community of Central African States, the African Union and all other partners of the Central African Republic to solve the crisis and to restore decisively the constitutional order, peace and security, in accordance with the political agreement signed in Libreville on 11 January

[1] A/HRC/30/59.

2013, the N'Djamena Declaration of 18 April 2013 and the Constitutional Charter for the Transition of 18 July 2013;

11. *Welcomes* the efforts made by the transitional authorities to carry out the transitional process, including aspects related to reconciliation, and urges the transitional authorities to implement the recommendations made at the Bangui Forum in an inclusive approach to enable genuine and lasting reconciliation;

12. *Requests* the transitional authorities and the national elections authority to take the necessary steps, in accordance with the Constitutional Charter for the Transition, to speed up the preparatory electoral process for the holding of free, open, transparent and inclusive elections by the end of 2015, including by allowing the participation of refugees and internally displaced persons;

13. *Urges* the international community to continue to provide all necessary assistance for the holding of the elections, taking into account the financial support already provided by the international community;

14. *Welcomes* the improvement of the security situation in the Central African Republic, and calls upon all parties to respect the terms of the Cessation of Hostilities Agreement, which constitutes an important step forward in finding a solution to the crisis;

15. *Encourages* the authorities of the Central African Republic to take all necessary measures to consolidate the security situation on the national territory, inter alia, by implementing the disarmament, demobilization, reintegration and repatriation programme in conformity with the agreement reached thereon at the Bangui Forum;

16. *Remains deeply concerned* by the conditions of displaced persons and refugees, and encourages the international community to support the national authorities and host countries to ensure appropriate protection and support for victims of violence, in particular women, children and persons with disabilities;

17. *Calls upon* the transitional authorities to continue their efforts to protect and promote the right to freedom of movement for all, including displaced persons, without distinction, and to respect their right to choose their place of residence, to return home or to seek protection elsewhere;

18. *Invites* all stakeholders and the international community to remain mobilized to respond to the urgencies and priorities identified by the Central African Republic, including financial and technical support, and to pay the costs for psychotrauma treatment of people affected by the crisis;

19. *Urges* the international community to provide assistance in the setting up of a mechanism by the Central African authorities to assist victims of trauma and post-traumatic stress disorder, including children and victims of sexual violence;

20. *Requests* all parties to facilitate access of victim populations to humanitarian assistance and access of humanitarian actors to the entire national territory by strengthening security on the roads;

21. *Encourages* the States Members of the United Nations, within the framework of international cooperation, the relevant United Nations bodies, international financial institutions and other international organizations concerned and donors to provide the Central African Republic with technical assistance and capacity-building in order to promote respect for human rights and to undertake reform of the justice and security sectors;

22. *Encourages* the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic, in accordance with its mandate, to publish reports

on the situation of human rights in the Central African Republic in order to enable the international community to monitor the situation;

23. *Decides* to renew, for one year, the mandate of the Independent Expert to assess, to monitor and to report on the situation of human rights in the Central African Republic with a view to making recommendations related to technical assistance and capacity-building in the field of human rights;

24. *Requests* all parties to cooperate fully with the Independent Expert in carrying out her mandate;

25. *Requests* the Independent Expert to work closely with all United Nations bodies, the African Union, the Economic Community of Central African States, as well as with other relevant international organizations, with civil society and all relevant human rights mechanisms;

26. *Also requests* the Independent Expert to provide an oral update on her report on technical assistance and capacity-building in the field of human rights in the Central African Republic to the Human Rights Council at its thirty-first session, and to submit a written report to the Council at its thirty-third session;

27. *Welcomes* the interactive dialogue held at its twenty-ninth session, with the participation of the Minister for Justice and the Minister for National Reconciliation in the debate on the fight against impunity in the Central African Republic, and decides to hold an interactive dialogue at its thirty-second session in the presence of the Independent Expert and other stakeholders to assess the development of the situation of human rights on the ground, with a particular focus on transitional justice;

28. *Requests* the United Nations High Commissioner for Human Rights to continue to provide the Independent Expert with all financial and human resources to enable her to fully carry out her mandate;

29. *Decides* to remain seized of the matter.